

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CASE NO. 3:22-CV-00252-FDW-SCR**

KAITLIN BRADY,)	
)	
Plaintiff,)	
)	
v.)	ORDER
)	
A STEP ABOVE LIMO SERVICE, LLC, and)	
AYMAN S. ABUSAMAK)	
)	
Defendants.)	
)	

THIS MATTER is before the Court on Plaintiff's Motion for Partial Summary Judgment on the Issue of Liability as to Her FLSA and NCWHA Claims Against Defendants, filed on April 19, 2023. (Doc. No. 17). This matter has been fully briefed by the parties, (Doc. Nos. 18–20, 23–28), and is ripe for ruling. After reviewing the pleadings, exhibits, and applicable law, the Court **DENIES** Plaintiff's Motion.

In short, it is clear from this record that the parties' evidence reveals a genuine dispute as to material facts that preclude entry of judgment for Plaintiff as a matter of law on the issue of liability as to Plaintiff's FLSA and NCWHA claims against Defendants. For example, though the parties appear to agree an employer-employee relationship existed between Plaintiff and Defendant A Step Above Limo Service, the evidence indicates a dispute as to the parties' responsibilities within, and the timeline of, that relationship. Accordingly, resolution of liability as to Plaintiff's FLSA and NCWHA claims is appropriate for resolution by a jury.¹

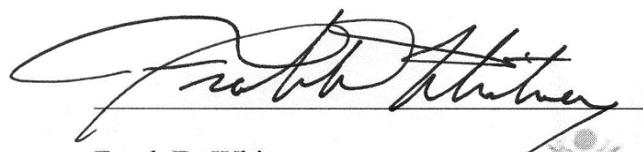
IT IS THEREFORE ORDERED that Plaintiff's Partial Motion for Summary Judgment, (Doc. No. 17), is **DENIED**.

¹ Defendants' Answer demands trial by jury. (Doc. No. 9, p. 8).

The parties shall **TAKE NOTICE** that trial is scheduled to begin on Monday, July 10, 2023. The parties' pretrial submissions shall be due by June 30, 2023. Docket Call will take place at 9:01 a.m. on July 10, 2023, and the Final Pretrial Conference will take place immediately following Docket Call, in Courtroom #5B of the Charles R. Jonas Federal Building, located at 401 West Trade Street, Charlotte, North Carolina, 28202.

IT IS SO ORDERED.

Signed: June 15, 2023


Frank D. Whitney
United States District Judge